



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB2932

Introduced 10/13/2021, by Sen. Craig Wilcox

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Fuel Gas Detector Act. Provides that a building owner shall install or cause to be installed at least one fuel gas detector in every room containing an appliance fueled by propane, natural gas, or any liquefied petroleum gas in each unit within specified buildings. Contains requirements for residential rental units occupied under the terms of a rental agreement or under a month-to-month tenancy. Provides that a person who, after January 1, 2023, acquires by sale or exchange a fraternity house, sorority house, or dormitory shall install fuel gas detectors in the acquired building if fuel gas detectors are not already present. Provides that a person who violates the Act commits a civil violation for which a civil penalty of not more than \$500 for each violation may be adjudged. Provides that nothing in the Act gives rise to any action against an owner required to comply with the Act if the owner meets specified requirements. Provides that a person may not knowingly interfere with or make inoperative any fuel gas detector required by the Act except under specified circumstances. Contains other provisions. Effective January 1, 2023.

LRB102 19966 CPF 28749 b

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Fuel  
5 Gas Detector Act.

6 Section 5. Definition. In this Act, "fuel gas detector"  
7 means a device:

8 (1) with an assembly that incorporates a sensor  
9 control component and an alarm notification that detects  
10 elevations in propane, natural gas, or any liquefied  
11 petroleum gas;

12 (2) that sounds a warning alarm; and

13 (3) that is approved or listed for the purpose  
14 specified in paragraph (2) by a nationally recognized  
15 independent testing laboratory.

16 A fuel gas detector may be battery-operated, plugged into  
17 an electrical outlet, or hardwired.

18 Section 10. Fuel gas detector required. A building owner  
19 shall install or cause to be installed, in accordance with the  
20 fuel gas detector's manufacturer requirements, at least one  
21 fuel gas detector in every room containing an appliance fueled  
22 by propane, natural gas, or any liquefied petroleum gas in the

1 following:

2 (1) Each unit in any building of multifamily  
3 occupancy.

4 (2) A fraternity house, sorority house, or dormitory  
5 that is affiliated with an educational facility.

6 (3) A children's home, emergency children's shelter,  
7 children's residential care facility, shelter for homeless  
8 children, or specialized children's home.

9 (4) A hotel, motel, or inn.

10 Section 15. Residential rental units. The following apply  
11 to a residential rental unit occupied under the terms of a  
12 rental agreement or under a month-to-month tenancy:

13 (1) At the time of each occupancy, the landlord shall  
14 provide fuel gas detectors in accordance with Section 10  
15 if fuel gas detectors are not already present. Each fuel  
16 gas detector must be in working condition. After  
17 notification, in writing, by the tenant of any  
18 deficiencies in a fuel gas detector, the landlord shall  
19 repair or replace the fuel gas detector. If the landlord  
20 does not know and has not been notified of the need to  
21 repair or replace a fuel gas detector, the landlord's  
22 failure to repair or replace the fuel gas detector may not  
23 be considered evidence of negligence in a subsequent civil  
24 action arising from death, property loss, or personal  
25 injury.

1           (2) The tenant shall keep each fuel gas detector  
2           within the tenant's unit in working condition by keeping  
3           the fuel gas detector connected to the electrical service  
4           in the building or keeping charged batteries in a  
5           battery-operated fuel gas detector, testing the fuel gas  
6           detector periodically, and refraining from disabling the  
7           fuel gas detector.

8           Section 20. Transfer of building.

9           (a) A person who, after January 1, 2023, acquires by sale  
10          or exchange a building listed in paragraph (2) of Section 10  
11          shall install fuel gas detectors in accordance with Section 10  
12          in the acquired building within 30 days of acquisition or  
13          occupancy of the building, whichever is later, if fuel gas  
14          detectors in accordance with Section 10 are not already  
15          present, and shall certify at the closing of the transaction  
16          that fuel gas detectors will be installed. The certification  
17          must be signed and dated by the person acquiring the building.  
18          A fuel gas detector must be installed in accordance with the  
19          manufacturer's requirements at the time of installation in  
20          each area containing an appliance fueled by propane, natural  
21          gas, or liquefied petroleum gas.

22          (b) A person does not have a claim for relief against a  
23          property owner, a property purchaser, an authorized agent of a  
24          property owner or purchaser, a person in possession of real  
25          property, a closing agent, or a lender for any damages

1 resulting from the operation, maintenance, or effectiveness of  
2 a fuel gas detector installed in accordance with this Act.

3 (c) Violation of this Section does not create a defect in  
4 title.

5 Section 25. Penalties. A person who violates this Act  
6 commits a civil violation for which a civil penalty of not more  
7 than \$500 for each violation may be adjudged. A court may waive  
8 any civil penalty or cost against a violator upon satisfactory  
9 proof that the violation was corrected within 10 days after  
10 the issuance of the complaint of violation.

11 Section 30. Liability. Nothing in this Act gives rise to  
12 any action against a building owner required to comply with  
13 Sections 10 or 15 if the owner has conducted an inspection of  
14 the required fuel gas detectors immediately after installation  
15 and has reinspected the fuel gas detectors prior to occupancy  
16 by each new tenant, unless the owner has been given at least 24  
17 hours' actual notice of a defect or failure of a fuel gas  
18 detector to operate properly and has failed to take action to  
19 correct the defect or failure.

20 Section 35. Noninterference. A person may not knowingly  
21 interfere with or make inoperative any fuel gas detector  
22 required by this Act, except that the owner or the agent of an  
23 owner of a building may temporarily disconnect a fuel gas

1 detector in a dwelling unit or common area only for  
2 construction or rehabilitation activities when such activities  
3 are likely to activate the fuel gas detector or make it  
4 inactive. The fuel gas detector must be immediately  
5 reconnected at the cessation of construction or rehabilitation  
6 activities each day, regardless of the intent to return to  
7 construction or rehabilitation activities on any succeeding  
8 day.

9 Section 99. Effective date. This Act takes effect January  
10 1, 2023.